

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ALEXANDER ALHOVSKY,

Plaintiff,

-against-

**AMENDED NOTICE  
OF MOTION TO  
DISMISS**

THOMAS RYAN, NEW YORK CITY POLICE  
DEPARTMENT DETECTIVES "1-5," NEW YORK  
CITY POLICE DEPARTMENT OFFICERS "1-10,"  
JACK T. LINN, STEVE SIMON, RAY BROWN,  
BARBARA JOYNER, the NEW YORK CITY  
DEPARTMENT OF PARKS AND RECREATION, and  
the CITY OF NEW YORK,

07 CV 7628 (CM)(DFE)

Defendants.

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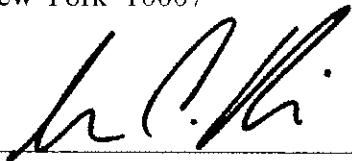
**PLEASE TAKE NOTICE** that, defendants Thomas Ryan, Jack T. Linn, Steve Simon, Ray Brown, Barbara Joyner, the New York City Department of Parks and Recreation, and the City of New York will move this Court before the Honorable Colleen McMahon, United States District Judge, at the United States District Court for the Southern District of New York, located at 500 Pearl Street, New York, New York at a date and time to be determined by the Court, for dismissal of the complaint with prejudice, pursuant to Rule 12(c) or, in the alternative, for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure and in accordance with Judge McMahon's individual practices, on the grounds that the individual defendants are entitled to qualified immunity on some or all of plaintiff's claims and that the Department of Parks and Recreation and the City of New York are entitled to judgment as a matter of law.

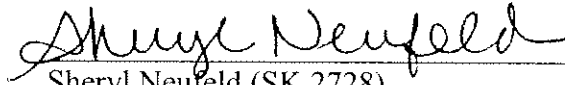
**PLEASE TAKE FURTHER NOTICE** that such motion will be submitted following the prescribed period of discovery set forth in the Court's Individual Practices.

Dated: New York, New York  
November 14, 2007

MICHAEL A. CARDOZO  
Corporation Counsel of the  
City of New York  
Attorney for Defendants Thomas Ryan, Jack T.  
Linn, Steve Simon, Ray Brown, and the New York  
City Department of Parks and Recreation  
100 Church Street  
New York, New York 10007

By:

  
Suzette Corinne Rivera (SR 4272)  
Assistant Corporation Counsel  
Special Federal Litigation Division

  
Sheryl Neufeld (SK 2728)  
Assistant Corporation Counsel  
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To: Robert Erlanger, Esq. (By ECF)  
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New York, New York 10001

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-against-

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DEPARTMENT DETECTIVES "1-5", NEW YORK CITY  
POLICE DEPARTMENT OFFICERS "1-10", JACK T.  
LINN, STEVE SIMON, RAY BROWN, BARBARA  
BROWN, and the NEW YORK CITY DEPARTMENT OF  
PARKS AND RECREATION,

Defendants.

**AMENDED NOTICE OF MOTION**

**MICHAEL A. CARDOZO**  
*Corporation Counsel of the City of New York*  
*Attorney for Defendants*  
*100 Church Street*  
*New York, New York 10007*

*Of Counsel: Suzette Corinne Rivera and Sheryl*  
*Neufeld*  
*Tel:*  
*NYCLIS No.*

*Due and timely service is hereby admitted.*

*New York, N.Y. ...., 200...*

*..... Esq.*

*Attorney for.....*